

July 14, 2004

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Second State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 3153, S.D.2, H.D.2, C.D.1

On July 13, 2004, Senate Bill No. 3153, entitled "Making an Appropriation for Bioremediation Research," became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Senate Bill No. 3153 appropriates funds in the amount of \$250,000 for fiscal year 2004-2005 to be expended by the Research Corporation of the University of Hawaii for a pilot project on soil renutrification research on former pineapple lands in West Maui to be conducted by Maui Ag Partners. The program is to be coordinated by the Pacific Cooperative Studies Unit of the College of Tropical Agriculture and Human Resources at the University of Hawaii, provided that the appropriated amount shall be matched by non-State funds through Maui Ag Partners.

While soil renutrification may have public benefits, this bill raises concerns because it redirects State taxpayer monies to the benefit of a single private entity. This entity, Maui Land and Pineapple Company, is partially owned by individuals with high net worth who have the financial means to undertake the research proposed in the bill.

Further, this bill appropriates \$250,000 outside of the normal budget process, thereby bypassing the checks and balances that occur during the appropriations discussions. Additionally, such a large appropriation raises fiscal concerns on the potential adverse impact this expenditure may have on other State spending priorities.

Therefore, I allowed Senate Bill No. 3153, S.D.2, H.D.2, C.D.1 to become law as Act 238, effective July 13, 2004, without my signature.

Sincerely,

LINDA LINGLE